

THE MATHEWS LAW GROUP
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Attorneys for Plaintiff and the Proposed Classes,
SUSAN WAKS

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SUSAN WAKS, on behalf of herself and
all others similarly situated,**

Plaintiff,

vs.

**MRS ASSOCIATES, INC. and
MRS BPO, LLC,**

Defendants.

CASE NO. CV11-0343

Complaint filed on January 24, 2011

**HONORABLE JUDGE LEONARD
D. WEXLER
HONORABLE MAGISTRATE
JUDGE ARLENE R. LINDSAY**

**NOTICE OF VOLUNTARY
DISMISSAL WITHOUT
PREJUDICE PURSUANT TO
F.R.C.P. 41(a)(1)(A)(i)**

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiff Susan Waks and their counsels, hereby give notice that the above-captioned matter is voluntarily dismissed, without prejudice against the defendant.

Date: February 15, 2011

Respectfully,

THE MATHEWS LAW GROUP

By:



Charles T. Mathews

Attorney for Plaintiff Susan Waks and the
Proposed Class

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am reside in the State of California. I am over the age of 18. My business address is 2596 Mission Street, Suite 204, San Marino, California 91108.

On **February 15, 2011**, I served the foregoing document described as :

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41 (a)(1)(A)(i)

on all interested parties in this action by placing a true and accurate copy thereof, enclosed in sealed envelopes, addressed as follows:

MRS Associates, Inc.
1930 Olney Avenue
Cherry Hill, New Jersey 08003

MRS BPO, LLC
1930 Olney Avenue
Cherry Hill, New Jersey 08003

— **BY FACSIMILE:** The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2005(i), I caused the machine to print a report of the transmission.

xxxx **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

— **BY FEDEX OVERNIGHT MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for FEDEX Overnight Mail. Under that practice, it would be deposited in the FEDEX pick-up box before the last pick-up time at San Marino, California, in the ordinary course of business.

— **BY ATTORNEY SERVICE:** I caused our Attorney Service, TIME MACHINE, located at 1533 Wilshire Blvd., Los Angeles, California 90017, to deliver said envelope to the addressee named above.

— **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address _____ to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

— **BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the addressee named above.

xxxx **(STATE):** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

xxxx **(FEDERAL):** I declare that I am employed in the office of a member of the bar of this Court at whose discretion that service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on **February 15, 2011**, at San Marino, California.


ANDREA M. MITCHELL